

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>07-120</u>
v.	:	DATE FILED: _____
RODNEY GREENE,	:	VIOLATIONS:
a/k/a Neil Davis,	:	18 U.S.C. § 1341 (mail fraud - 3 counts)
a/k/a Joel Rosen,	:	18 U.S.C. § 1028(a)(7) (using a means of
a/k/a Stephen Joseph Brown	:	identification to commit unlawful activity
	:	- 3 counts)
	:	18 U.S.C. § 1029(a)(2) (using
	:	unauthorized access devices to obtain
	:	things of value of \$1000 or more - 2
	:	counts)
	:	18 U.S.C. § 1028A (aggravated identity
	:	theft - 5 counts)
	:	18 U.S.C. § 505 (forgery of signatures of
	:	judge and court officer – 2 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	

SUPERSEDING INDICTMENT

COUNTS ONE THROUGH THREE

THE GRAND JURY CHARGES THAT:

At all times material to these counts:

1. J.S., K.R., P.R., B.W.-B., H.M., and B.D.A. were individuals who did not authorize defendant RODNEY GREENE to apply for or open credit card accounts, bank accounts, credit union accounts, or other accounts in their names or on their behalf, to conduct any financial transactions in their names or on their behalf, or to possess any identification documents or financial information belonging to them.

2. The Honorable Katharine S. Hayden was employed by the United States Courts as a United States District Judge for the District of New Jersey. Defendant RODNEY GREENE was not employed by the United States District Court for the District of New Jersey and had no authority to speak on behalf of Judge Hayden in the performance of her duty as United States District Court Judge.

3. Michael E. Kunz was employed by the United States Courts as the Clerk of Court for the United States District Court for the Eastern District of Pennsylvania. Defendant RODNEY GREENE was not employed by the United States District Court for the Eastern District of Pennsylvania, and had no authority to speak on behalf of Mr. Kunz in the performance of his duty as United States Clerk of Court.

THE SCHEME

4. From in or about June 2004 to in or about January 2006, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

devised and intended to devise a scheme to defraud J.S., K.R., P.R., B.W.-B., H.M., B.D.A., HSBC Bank, Chase Visa, the Navy Federal Credit Union, Bose, Western Union, Verizon, Philadelphia University and other individuals, institutions and entities, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

5. Defendant RODNEY GREENE unlawfully obtained, and attempted to obtain, from various institutions and entities, financial information and means of identification of individuals without their authority, by various means, including by creating and causing others to create documents purporting to be valid subpoenas issued by the United States District Court for the Eastern District of Pennsylvania.

6. Defendant RODNEY GREENE, using his own address and the addresses of other apartments in the building in which he resided, obtained, and attempted to obtain, credit card accounts, bank accounts, credit union accounts, and other accounts in the names of individuals whose identities and financial information he stole, as described above.

7. Defendant RODNEY GREENE, using the fraudulently obtained accounts described above, obtained, and attempted to obtain, money and property to which he was not entitled.

8. Defendant RODNEY GREENE caused account statements from banks, credit unions, credit card companies, and other entities in the names of individuals whose identities and financial information he stole to be mailed to his address and to addresses of other apartments in the building in which he resided.

9. On or about the following dates, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

for the purpose of executing the scheme described above, and attempting to do so, knowingly

caused to be delivered by mail and commercial interstate carrier, according to the directions thereon, the following items:

<u>COUNT</u>	<u>DATE</u>	<u>ITEM</u>
1	8/13/05	Navy Federal Credit Union statement addressed to K.R., 1308 Willow Avenue, Apt. A4B, Elkins Park PA, 19027-3135
2	9/16/05	Two Bose Model 321GSX home entertainment systems shipped to Mr. C. Smith, 1308 Willow Ave., Suite C20, Elkins Park, PA, 19027, and billed to J.S., 1308 Willow Ave., Suite C20, Elkins Park, PA, 19027
3	10/6/05	Fraudulent subpoena ordering production of financial aid records of former student B.D.A. to "Neil Davis - Administrator" at 1308 Willow Avenue, Suite C20, Elkins Park, PA, 19027, addressed to Philadelphia University, School House Lane & Henry Avenue, Phila., PA, 19127, Attn: Custodian of Records

All in violation of Title 18, United States Code, Section 1341.

COUNTS FOUR AND FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 8 of Count One are realleged here.
2. On or about the following dates, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

knowingly and without lawful authority used, and aided and abetted and willfully caused the use of, a means of identification of another person with the intent to commit, and to aid and abet, a violation of federal law, that is, mail fraud in violation of Title 18, United States Code, Section 1341, by fraudulently opening credit union accounts at the Navy Federal Credit Union in the names, and using the Social Security numbers, of J.S. and K.R., to obtain, and attempt to obtain, money, merchandise, and other things of value totaling at least \$1,000 during a one year period and thereby affecting interstate commerce, and attempted to do so:

<u>COUNT</u>	<u>DATE</u>	<u>FRAUDULENT IDENTITY</u>
4	3/24/05	J.S.
5	7/29/05	K.R.

All in violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(D), (c)(3)(A), (f), and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 8 of Count One are realleged here.
2. On or about April 16, 2005, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

knowingly and without lawful authority used, and aided and abetted and willfully caused the use of, a means of identification of another person with the intent to commit, and to aid and abet, a violation of federal law, that is, mail fraud in violation of Title 18, United States Code, Section 1341, by fraudulently opening a Chase Visa credit card account in the name of P.R. to obtain, and attempt to obtain, money, merchandise, and other things of value totaling at least \$1,000 during a one year period and thereby affecting interstate commerce, and attempted to do so.

In violation of Title 18, United States Code, Sections 1028(a)(7), (b)(1)(D), (c)(3)(A), (f), and 2.

COUNTS SEVEN AND EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 8 of Count One are realleged here.
2. From on or about the following dates, in Philadelphia, in the Eastern

District of Pennsylvania, and elsewhere, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

knowingly and with the intent to defraud, used, and aided and abetted and willfully caused the use of, the following unauthorized access devices referenced below, to obtain things of value aggregating \$1,000 or more during a one year period, for a total of at least the following amounts, thereby affecting interstate commerce, and attempted to do so:

<u>COUNT</u>	<u>DATE</u>	<u>ACCESS DEVICE (LAST DIGITS)</u>	<u>NAME</u>	<u>VALUE OF PROPERTY</u>
7	6/19/05	6817	P.R.	\$1,623.02
8	9/16/05	4353	J.S.	\$3,707.88

All in violation of Title 18, United States Code, Sections 1029(a)(2), (b)(1), and 2.

COUNTS NINE THROUGH THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Counts One through Three, Seven, and Eight are realleged here.
2. In or about the following dates, in Philadelphia, in the Eastern District of

Pennsylvania, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

knowingly and without lawful authority possessed and used, and aided and abetted and willfully caused the possession and use of, a means of identification of another person, that is, the names of the following persons, during and in relation to violations of federal law:

<u>COUNT</u>	<u>DATE</u>	<u>FALSE IDENTITY</u>
9	8/13/05	K.R.
10	9/16/05	J.S.
11	10/6/05	B.D.A.
12	6/19/05	P.R.
13	9/16/05	J.S.

All in violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(4), and

2.

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 3 and 5 through 8 of Count One are realleged here.
2. Defendant RODNEY GREENE mailed false and fraudulent documents purporting to be valid subpoenas issued by the United States District Court for the Eastern District of Pennsylvania to Philadelphia University in Philadelphia, Pennsylvania, in the non-existent court case "Chase Manhattan Bank vs. [B.D.A.]." The fraudulent subpoenas directed that financial and other records of B.D.A. be delivered to addresses where defendant GREENE resided at the times of the mailings. Specifically:

- a. In or about June 2004, defendant RODNEY GREENE mailed a false and fraudulent document purporting to be a subpoena issued in the United States District Court for the Eastern District of Pennsylvania and signed by Deputy Clerk Michael E. Kunz to Philadelphia University in Philadelphia, Pennsylvania, in the matter "Chase Manhattan Bank vs. [B.D.A.], Civil Action No. 03-786." The fraudulent subpoena, addressed to the custodian of records of Philadelphia University, stated:

YOU ARE HEREBY COMMANDED to provide/produce the entire file/records requested for in-camera inspection at the place, date and time specified below in the above referenced case pertaining to [B.D.A.] date of birth: [B.D.A.'s date of birth]; former address: [B.D.A.'s former address], including but not limited to place of employment filed by this individual, all monthly statements, copies of all checks/money orders paid/received by this individual.

The fraudulent subpoena directed that the subpoenaed records be sent to 1611 Fairmount Avenue, Suite 102, Philadelphia, Pa. 19130, Attention: Joel Rosen - Administrator within

three days of the subpoena's receipt. At the time he mailed the subpoena, defendant GREENE resided at 1611 Fairmount Avenue, Philadelphia, PA, 19130.

b. On or about October 6, 2005, defendant RODNEY GREENE mailed a false and fraudulent document purporting to be a subpoena issued in the United States District Court for the Eastern District of Pennsylvania and signed by the Honorable Katharine S. Hayden, United States District Judge, to Philadelphia University in Philadelphia, Pennsylvania, in the matter "Chase Manhattan Bank vs. [B.D.A.], Civil Action No. 05-457 (NLS)." The fraudulent subpoena, addressed to the custodian of records of Philadelphia University, stated:

YOU ARE HEREBY COMMANDED to provide/produce the entire financial aid records/file for in-camera inspection at the place, date and time specified below in the above referenced case pertaining to [B.D.A.]; date of birth: [B.D.A.'s date of birth]; former address: [B.D.A.'s former address], including but not limited to any and all social security numbers; checks/money orders provided by this individual; and the initial application submitted.

The fraudulent subpoena directed that the subpoenaed records be sent to 1308 Willow Avenue, Suite C20, Elkins Park, Pa. 19027, Attention: Agt. Neil Davis - Administrator, within three days of the subpoena's receipt. At the time he mailed the subpoena, defendant GREENE resided at 1308 Willow Avenue, Elkins Park, PA, 19027.

3. In or about June 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

knowingly forged, and aided and abetted and willfully caused to be forged, the signature of an officer of a court of the United States, and knowingly concurred in the use of such forged and counterfeit signature, that is, the signature of the Honorable Michael E. Kunz, Clerk of Court for the United States District Court for the Eastern District of Pennsylvania, on a subpoena demanding from Philadelphia University the production of financial and other records of its former student, B.D.A., for the purpose of authenticating this subpoena, and knowing that such signature was false and counterfeit.

In violation of Title 18, United States Code, Sections 505 and 2.

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 and 2 of Count Fourteen are realleged as if restated here.
2. On or about October 6, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**RODNEY GREENE,
a/k/a Neil Davis,
a/k/a Joel Rosen,
a/k/a Stephen Joseph Brown,**

knowingly forged, and aided and abetted and willfully caused to be forged, the signature of a judge of a court of the United States, and knowingly concurred in the use of such forged and counterfeit signature, that is, the signature of the Honorable Katherine S. Hayden, United States District Court Judge for the District of New Jersey, on a subpoena demanding from Philadelphia University the production of financial and other records of its former student, B.D.A., for the purpose of authenticating the subpoena, and knowing that such signature was false and counterfeit.

In violation of Title 18, United States Code, Sections 505 and 2.

A TRUE BILL:

GRAND JURY FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**